

MINUTES

CITY PLAN COMMISSION/ARCHITECTURAL REVIEW BOARD

AUGUST 16, 2010

The City Plan Commission/Architectural Review Board of the City of Clayton, Missouri, met upon the above date at 5:30 p.m., Chairman Harold Sanger presiding. Upon roll call, the following responded:

Present:

Chairman Harold Sanger
Steve Lichtenfeld, Aldermanic Representative
Craig S. Owens, City Manager
Scott Wilson

Absent:

Jim Liberman
Marc Lopata
Ron Reim

Also Present:

Susan Istenes, Director of Planning & Development Services
Jason Jaggi, Senior Planner
Kevin O'Keefe, City Attorney

Chairman Sanger welcomed everyone to the meeting. He asked that all cell phone ringers be turned off or muted and that conversations take place outside the room so as not to disrupt the meeting.

MINUTES

The minutes of the August 2, 2010 meeting were presented for approval. The minutes were approved, after having been previously distributed to each member.

PUBLIC HEARING – DOWNTOWN MASTER PLAN

Steve Lichtenfeld made a motion to open the public hearing. The motion was seconded by Scott Wilson and unanimously approved by the members.

Susan Istenes informed the members that the City's Senior Planner, Jason Jaggi, will be providing an overview via a PowerPoint presentation.

Jason Jaggi began a PowerPoint presentation, starting with a slide that depicted a map outlining Clayton's downtown area for which this Plan covers, and indicated that a resolution has been prepared and distributed in anticipation of a vote this evening.

Jason presented a slide which outlined the over one year process to date as follows: April, 2009-RFP issued; October, 2009-Sasaki/AECOM awarded contract; December, 2009-stakeholder interviews and analysis by Sasaki/AECOM; January, 2010-public input; March, 2010-presentation to public of draft downtown concepts; June 3, 2010-draft Plan distributed; June 21 & 22, 2010-presentation by Sasaki to Board of Aldermen, Plan Commission and Economic Development Advisory Committee (EDAC) on final recommendations; July 14, 2010-EDAC recommended approval of Plan with specific recommendations; and July 19, 2010-Plan Commission work session and direction to staff to proceed with public hearing to be held August 16, 2010.

Jason indicated that the EDAC had the following recommendations: 1) that Shaw Park's recreational uses be protected; 2) that the language regarding the revolving loan fund be removed; 3) that implementation should be aware of unintended consequences; 4) that incentives should be considered on a project-by-project basis and not universal; 5) that existing businesses should be protected/consulted prior to impactful project undertaking; 6) that the City Attorney review suggested incentives for legality. Jason indicated that upon receipt of these recommendations, Sasaki made the following revisions: 1) deleted the reference to revolving loan fund incentive; 2) added a statement that the City should seek to retain existing businesses as the Plan is implemented; and 3) added a statement that the City should seek to retain Shaw Park's recreational uses. Jason noted that the recommendation that incentives be considered on a project-by-project basis and not universal was not incorporated into the Plan.

Jason presented a slide that depicted the following four goals of the Plan: 1) implement Vision 2013 goals; 2) anticipate future development; 3) create a retail & marketing plan; and 4) update the 1993 CBD Master Plan. The Vision 2013 Goals include ensuring the public's safety and respond effectively and efficiently to all emergencies throughout the community; maintaining and growing a strong, diversified economic base that enriches the City's quality of life, preserves the integrity of our residential neighborhoods and is consistent with the Comprehensive Plan; creation and maintenance of a beautiful, clean and healthy community where resources are used responsibly; encouraging participation in a variety of recreational and cultural activities; fostering all safe and accessible modes of travel including walking and biking; and efficiently and transparently aligning organizational resources to achieve the vision, mission and goals of the City.

Jason presented a slide that listed elements of great downtowns, which include walkable streets, mixed-use, varying scales and density, preservation and pedestrian scale, iconic civic space, neighborhood connections and identity and wayfinding. A slide depicting the vision for downtown Clayton was also presented, which included creating a framework for future development, reinforcing the role of downtown Clayton within the St. Louis region, moving to the next level, identifying a fully functional mixed-use, sustainable, urban environment, celebrating each neighborhood and its connection to downtown, just to name a few.

A slide depicting a map of the planning framework was presented (red-retail/service areas, yellow-residential housing areas) as well as slides depicting the six downtown districts as identified by the Plan (Maryland Gateway, Park View, Meramec Gateway, North Central, Central Station and Forsyth Village). Jason Jaggi provided a brief explanation of each district, noting key action items for each (economic development, policy and infrastructure).

Jason Jaggi noted that Sasaki suggests reviewing the current zoning ordinance and making some revisions as they believe it is convoluted and that it should be simplified.

Slides depicting Plan implementations (economic development initiatives, policy initiatives and infrastructure initiatives) were shown.

A slide depicting a composite build-out graphic map was presented.

Jason indicated (and presented a slide) that the remaining steps towards the adoption of this new Plan were: 1) Approval of a resolution by the Plan Commission to adopt the Plan and 2) schedule a public hearing before the Board of Aldermen for September 14, 2010.

Chairman Sanger asked why the language regarding the revolving loan fund was removed.

Jason Jaggi indicated that there was a use concern.

Craig Owens agreed and added that tax dollars cannot be used for a private undertaking.

Steve Lichtenfeld mentioned that Sasaki did not include in the Plan that incentives be considered on a project-by-project basis and believes that the Plan should reflect that each project be considered on its own merit.

Norton Hoffman, 14 S. Meramec, asked about a retail plan, indicating that it seems like a significant oversight.

Craig Owens indicated that it (the Plan) is a land use plan, not a retail plan and that it was not an oversight, but rather not incorporated. He stated that the consultant told the City what retail uses not to try and attract.

Gary Morris, 250 S. Brentwood Boulevard, informed the members that there are 29 residents in their condominium building. He stated that they have just spent half a million dollars on the exterior siding renovation, that they are trying to make their building first-rate and would not like to have their home replaced with a new tenant facility.

Craig Owens indicated that the Plan simply offers suggestions if changes are to occur.

Kevin O'Keefe indicated that the document (the Plan) is for use by City officials if someone proposes a development and is used as a tool by which the City assesses development

proposals. It (the Plan) is not intended to focus on specific properties and that owners have the right to sell or not to sell their properties.

Thomas Stern, Solon Gershman, indicated that their firm has been in Clayton for over 60 years and himself, over 40 years. He stated that in 1993, he served on the Plan Commission Advisory Committee for development of the Business District Master Plan. He stated that Centene's new building across the street has only 10% of its retail space leased and that retail may not flourish in Clayton and asked that focus be given to the North Central area, specifically the outdoor dining. He suggested limiting outdoor dining to 4 months out of the year. He stated that development of the North Central area is not likely without the combination of more than one parcel and that North Central block is serviced by surface lots and upon redevelopment, these lots will cease to exist and will be replaced with structured parking. He agreed that the City's Zoning Ordinance needs reconfiguring as he believes it is easier to put together a 1,000 piece jigsaw puzzle than it is to maneuver one's way through the Zoning Ordinance. He stated that he believes this Plan needs input from the development community as it has impact on the Plan implemented in 1993.

Chairman Sanger commented that the east side of Central Avenue needs to maintain its pedestrian friendly atmosphere and that he agrees that consideration needs to be given regarding changes to the City's Zoning Ordinance. He informed Mr. Stern that meetings were held with professional groups prior to this Plan coming before this Board for approval. He stated that he, too, was involved with the Plan from 1993. He stated that he is disappointed with the removal of the language regarding the revolving fund.

Mr. Stern commented that to his knowledge, Sasaki never built anything.

Jeff Gershman, attorney here on behalf of various Central Business District property owners, stated that it seems as though the Plan Commission and Sasaki desire flexibility between projects and want each project to be addressed on a case-by-case basis; he stated that the City already has a tool in place for that through the Planned Unit Development (PUD) process.

Jason Jaggi commented that the PUD process has served the City very well over the years, but agrees that the Zoning Ordinance could be "cleaned-up".

John Callahan, 34 Country Side Lane, Frontenac, Missouri, asked about retail use and how much retail space is available in Clayton.

Craig Owens indicated there is space available across the street in the new Centene development. He asked Mr. Callahan to provide him with his name and contact information and he would forward the information to the City's Economic Development Department.

Chairman Sanger noted that this Plan is a guideline.

Being no further questions or comments, Steve Lichtenfeld made a motion to close the public hearing. The motion was seconded by Scott Wilson and unanimously approved by the members.

Chairman Sanger asked what the next step is.

Jason Jaggi asked that the Commission adopt the Resolution.

Chairman Sanger asked if the change Steve Lichtenfeld asked for will be included.

Jason Jaggi stated that the change can be included in the motion.

Being no further questions or comments, Steve Lichtenfeld made a motion to approve the Resolution with the condition that language be added to include that incentives be considered on a project-by-project basis and not on a universal basis. The motion was seconded by Scott Wilson and unanimously approved by the members.

ROOFTOP SOLAR PANELS – SINGLE FAMILY RESIDENCE – 8133 UNIVERSITY

Leonard Laskowski, owner, was in attendance at the meeting.

Susan Istenes explained that this a consideration of a request by Leonard Laskowski for review of the design and materials associated with the installation of solar panels on the roof of a single family residence. The Architectural Review Board tabled this item at the August 3, 2010 meeting due to the applicant not being present. The subject property is located on University Drive in the Clayton Gardens subdivision. On July 7, 2010, staff received a complaint about the installation of solar panels on the rear roof at 8133 University Drive. A City inspector went to the site and found the panels had been installed as described. The installation of these panels was completed without architectural review approval or permits. As a visible exterior alteration to the residence, staff has referred this issue to the Architectural Review Board for approval. According to information submitted by the applicant, seven solar panels have been installed on the rear-facing portion of the roof of the two-story house. These panels measure 30-feet by 12-feet and are black in color. White PVC piping is visible on the roof to provide power for the heated pool. The solar panels lie flat on the roof and are located on the back side of the house. These panels are visible to the property owners to the north on Pershing Avenue but cannot be seen from University Drive. Staff believes these panels represent a fairly standard installation and are appropriately placed on the back side of the roof. Staff is concerned with the white PVC pipes which do not blend into the roof and we request that the owner paint these to match the color of the roof. Susan indicated that staff anticipates additional requests for solar panel installations. With this in mind, staff will be presenting guidelines to the ARB to appropriately accommodate roof mounted and free standing solar panels. In the meantime, staff recommends your approval of this installation with the condition that the PVC pipes are painted in a darker color to match the roof.

Mr. Laskowski stated that he did not know he needed a permit to install these panels, which are used to heat their pool water. A color photo of the rear roof depicting the panels was presented. Mr. Laskowski stated that he thought the white PVC pipes would be alright and that his gutters and downspouts are white. He stated it would be difficult to match the color of the roof and that if he is required to paint the pipes, he would prefer to paint them black if that is acceptable with this Board.

Steve Lichtenfeld commented that the panels face north and questioned if they are effective.

Mr. Laskowski indicated that they are effective in the summer months, but not so much in the winter. He stated that they have no intention of using the pool in the winter.

Chairman Sanger asked Mr. Laskowski if he installed the panels himself.

Mr. Laskowski replied “yes”.

Scott Wilson commented that he is not a fan of these panels as they do not look permanent.

Mr. Laskowski indicated that they are more economical.

Scott Wilson agreed that they are environmentally friendly, which is a good thing.

Chairman Sanger indicated that they will not be discouraged. He noted when satellite dishes first appeared they were of concern, but now they are everywhere and nobody seems to care about them anymore.

Scott Wilson asked about the pipe color.

Mr. Laskowski asked if he could paint them black to match the panels.

Ann Brown, 8304 Kingsbury, stated that they have no problem with the PVC pipes being white as they are low-profile and not offensive. She stated that the peeling paint at 8104 University is more offensive than these white pipes. She asked that the City be more supportive of its citizens.

Chairman Sanger commented that these pipes are more visible than the white vents that stick up out of roofs.

Steve Lichtenfeld stated that he has no problem with the white pipe color, but agrees that some type of guidelines should be developed which may or may not affect pipe color.

Chairman Sanger stated he would prefer the pipes be painted so they blend in better; he believes leaving them white gives the building an industrial appearance.

Susan Istenes mentioned that appropriate permits still need to be obtained.

Chairman Sanger agreed and asked that the motion include that all required permits be applied for and received.

Being no further questions or comments, Steve Lichtenfeld made a motion to approve as installed (no need to paint the PVC piping) with the condition that the owner apply for and receive necessary building permit. The motion was seconded by Scott Wilson and unanimously approved by the Board. Steve Lichtenfeld asked staff to prepare guidelines for solar panel installation to include all architectural aspects of the installation (including piping).

FRONT YARD FENCE – 301 N. FORSYTH BLVD.

Ted Pettibone, contractor, was in attendance at the meeting.

Susan Istenes explained that the subject property is located on a corner lot in the Clayton Gardens Addition Subdivision. The fence is proposed to be placed within the required front yard setbacks along North Forsyth Boulevard and Topton Way. A fence permit has been issued for a cedar privacy fence in the rear yard. The proposed fence will be constructed of black heavy duty steel with flat top and bottom rails and will measure approximately 48” in height. Plans indicate the fence will be located 21 feet from the curb along Topton Way. Staff estimates that the proposed fence will be located 6 feet from the property line along Topton Way and an average of 22 feet from the property line along North Forsyth Boulevard. Although the top of the fence is 4 feet above the established street grade at the intersection of Topton Way and North Forsyth Boulevard, the fence is located more than 20 feet from the street intersection to comply with sight distance standards. A row of evergreen shrubs is proposed along the outer edge of the fence along Topton Way and North Forsyth Boulevard. Front yard fences are not prevalent in this neighborhood; however, the hedge row of evergreen shrubs surrounding the fence will largely screen the fence from view along the two street fronts. Susan indicated that staff recommends approval as submitted with the condition that the hedge row be maintained throughout the life of the fence.

Staff asked that the hedge row be maintained at a minimum height of 3-feet and that it be depicted on the site plan and filed with the St. Louis County Recorder of Deeds.

Kevin O’Keefe commented that if they are required to file such plat, that it would be a property restriction.

Mr. Pettibone stated that he believes the landscape will be taller than 3-feet.

Susan Istenes indicated that taller landscaping would be perfectly acceptable; staff is asking for a minimum of 3-feet in height.

Mr. Pettibone indicated that the owners want privacy, so they may plant ewe trees.

Steve Lichtenfeld indicated that he looked at the site and asked about the corner of Forsyth and Topton.

Mr. Pettibone stated that Topton Way is not parallel with the house.

Steve Lichtenfeld indicated that it may look better curved versus pointed at the corner, but he realizes a steel fence cannot be curved.

A brief discussion between the members took place regarding possibilities on how to re-configure the fence at the corner (intersection). It was determined that the best way would be to install one, 8’ fence section on a 45-degree angle at the intersection.

Mr. Pettibone asked why there are no sidewalks there.

Chairman Sanger indicated that many streets in Clayton have no sidewalks.

Being no further questions or comments, Steve Lichtenfeld made a motion to approve with the following conditions 1) that a minimum 3-feet in height hedge be maintained while the fence is in place and that the plat indicating such be recorded with St. Louis County Recorder of Deeds' Office and proof of filing be submitted to the City; and 2) that the fence design (placement) be modified so as to provide a 45-degree angle at the corner (intersection) to accommodate an 8-foot fence section. The motion was seconded by Scott Wilson and unanimously approved by the Board.

NEW CONSTRUCTION – ADDITION TO SINGLE FAMILY RESIDENCE – 8100 UNIVERSITY DRIVE

Mike Hogan, project architect, was in attendance at the meeting. Also in attendance were the owners, Boris & Georgia Prstojevich.

Susan Istenes explained that this is consideration of a request for review of the design and materials associated with the construction of a kitchen addition, covered porch and detached garage at the subject property, which is located in the Clayton Gardens Subdivision. The existing residence is a brick 1,828 square foot, two-story structure. With the proposed 352 square foot one-story addition, the residence will measure 2,180 square feet. The size of the proposed addition is less than 50 percent of the size of the existing structure; therefore, site plan review is not required. The proposed addition will be constructed of brick material to match existing. Hardiboard siding will cover 10 percent of the rear elevation. Windows and asphalt shingle roofing on the proposed addition will also match the existing. The applicant indicates that the height of the proposed addition will be 12'4" as measured from the existing grade to the roof peak. Staff estimates that the height of the proposed addition will be approximately 10 feet as measured from the existing grade to the mid-point of the roof. A detached two car garage is proposed in the rear yard of the subject property. The garage will measure 545 square feet and will be constructed of brick with asphalt shingle roofing to match the main structure. Staff estimates that the height of the proposed garage will be approximately 12 feet as measured from the existing grade to the mid-point of the roof. The proposed garage meets all height, setback and rear yard coverage requirements. An existing concrete pad at the rear of the residence will be removed to accommodate the proposed addition. The proposed covered porch at the rear of the addition will be accessible from the proposed detached garage by means of an exposed aggregate uncovered walkway. An existing concrete drive along Brentwood Boulevard will be replaced by an exposed aggregate driveway using the existing curb cut. Trash will be located behind the proposed covered porch and will be screened by a 6' tall wood fence with brick piers to match the existing fence. The existing HVAC unit will remain in the western side yard and will be screened by the existing brick pier fence. Susan indicated that staff believes that this addition will be consistent with the design features and style of the existing building. The proposed structure is in conformance with the Clayton Gardens Subdivision Urban Design District requirements for single-family residences and staff recommends approval of the project as submitted.

Mr. Hogan presented a site plan to the members. He indicated that the 1-story addition and 2-car detached garage will match the style of the existing structure. He showed on the site plan where the proposed new fence is to be installed, indicating that it will have brick piers. Mr. Hogan then presented an elevation drawing (Brentwood Blvd. elevation).

Chairman Sanger asked if the existing curb-cut will be removed.

Mr. Hogan replied “no”. He stated the driveway will be new, but not the curb-cut.

Steve Lichtenfeld commented that this is similar to the two houses to the north. He noted that the trash enclosure is not accessible from the street or driveway.

Kevin O’Keefe indicated that the new trash hauler cannot enter enclosed yards to pick up trash, per the contract.

Craig Owens commented that the current contract states that the haulers cannot enter enclosed yards although over the years, the practice has been tolerated.

Jason Jaggi stated that staff can work with the owners to reconfigure the trash area so it meets the requirements for trash pick-up.

Ms. Prstojevich indicated that she will just take the trash out.

Kevin O’Keefe commented that the trash haulers are nervous about accessing private property.

Scott Wilson stated that this is a great use of the property and asked the owners if they considered a 2-story addition.

Ms. Prstojevich stated that they desire to stay in this home and the project started with just a full bath and it developed from there.

Being no further questions or comments, Scott Wilson made a motion to approve as submitted. The motion was seconded by Steve Lichtenfeld and unanimously approved by the Board.

PUBLIC ART – CENTENE PLAZA – 7700 FORSYTH BLVD.

Dan O’Connor, developer (Koman Group), was in attendance at the meeting.

Susan Istenes explained that this is a request for review of the design, materials and location for the installation of a public art piece for the Centene Plaza Special Development District. Ordinance 6082 which amended the Phase I Centene Plaza Special Development District requires that public art be provided as stated:

That the public benefits be provided as shown on the plans and application, including but not limited to public art, Forsyth Court public area and LEED green building certification;

Susan explained that the contractor began installation of the canopy the week of July 12th. Staff advised the applicant that although the public art had been presented in previous meetings, the piece had not been formally approved as the public art component of the project. The contractor chose to continue the installation with the understanding that they would need to seek formal approvals at a later date. Protocol for the approval of public art is that the Public Art Advisory Committee (PAAC) review and make a recommendation to the Architectural Review Board. The PAAC reviewed the piece on August 2, 2010, and recommends approval. The public art piece is in the form of an artistic canopy that connects the Centene Plaza office tower to the Forsyth parking garage. This canopy was designed by artist Liam Gillick and features a gray steel frame with multiple colored glass plates. As light shines through the canopy, the colors reflect onto the pavement below the piece. The canopy measures 22-feet by 74-feet. The canopy is a significant feature of the Forsyth Court plaza area which contains a water fall, fire pit, tree grove and other amenities. Staff is of the opinion that the general location and design of the piece compliments the building and its environs. This public art piece is not the typical sculpture piece but instead is a functional covered walkway leading from the parking garage to the office building. The visibility of this piece is not as pronounced as other public art pieces, however, this canopy has been designed by a notable artist and staff believes the Gillick canopy meets the expectations for public art for this development. Susan indicated that staff recommends approval as installed.

Mr. O'Connor began a PowerPoint presentation. The first slide depicted a color site plan of the project; the second slide depicted an aerial view. He stated that the plans depict ground colors at 1 p.m. and 4 p.m. yesterday. He stated that the ground colors are different during the day; they are subtle but intensive and spectacular.

Chairman Sanger agreed.

Mr. O'Connor suggested the members visit the area during the evening while the water feature is running.

Ms. Beverly Wagner, PAAC member, informed the Board that the PAAC reviewed and approved this exciting piece of art work.

Being no further questions or comments, Steve Lichtenfeld made a motion to approve as installed. The motion was seconded by Scott Wilson and unanimously approved by the Board.

Chairman Sanger asked the status of the wind veil.

Mr. O'Connor indicated that it is going well; bids are due back by this Friday and they anticipate installation beginning in about 10 weeks.

Chairman Sanger asked about the leasing of the retail spaces.

Mr. O'Connor stated that they have found a restaurateur who they believe will be a good addition as well as a bank and a few smaller stores, a salon for one.

Chairman Sanger asked about the second tower.

Mr. O'Connor stated that he believes they will move ahead with it in 2 to 3 years.

Jason Jaggi noted that the plans for the park are forthcoming.

Being no further business for the Plan Commission/Architectural Review Board, this meeting adjourned at 7:20 p.m.

Recording Secretary